

REMARKS

In the Office Action of Paper No. 20, the drawings were objected to for failing to show every feature of the invention identified in the claims. Specifically, objection was made to the subject matter of claim 10, where the base paper layer bottom surface is said to be within the periphery of the base paper layer.

It is respectfully submitted that this objection to the drawings was overcome in Amendment and Response C, mailed June 4, 2003, and the Amendment of the Drawings, mailed June 4, 2003. In these Amendments, drawing Figure 7 was added and the specification of the application was amended to include a description of Figure 7. In Figure 7 it can clearly be seen that the base paper layer 20 has a bottom surface with a peripheral edge, or a periphery of the base paper layer.

Furthermore, it should be clear that a bottom surface of a base paper layer would be located within the peripheral edge of the base paper layer. This is the ordinary meaning of the language of claim 10.

Regarding the breakaway layer being applied in a pattern as recited in claim 10, it is respectfully submitted that the specification sets forth that the breakaway layer may be coated in varying thicknesses and patterns, or may be chemically varied in patterns when coated or printed onto the primary film layer in order to allow variations in peel strengths in different areas of the primary film layer. (See Specification page 4, line 21 – page 6, line 15; page 9, lines 1-11 and lines 18-21; page 10, lines 4-15). The chemical composition of the breakaway layer that gives it a varying pattern of affinity for the primary film layer cannot be shown in the drawing figures. This is a chemical property or composition of the breakaway layer that gives the breakaway layer this characteristic. The chemical property or composition cannot be shown in a drawing

figure. Furthermore, varying the thickness of the breakaway layer or varying the pattern of thickness of the breakaway layer cannot be shown in Figure 7. The view point of Figure 7 is looking down onto the breakaway layer where the thickness of the breakaway layer cannot be discerned. Still further, it is respectfully submitted that a drawing showing a pattern of varying thickness of the breakaway layer would not be necessary for the artisan of ordinary skill to understand the invention. As set forth in the specification, a variety of patterns of varying thicknesses of the breakaway layer may be employed in the invention. No one drawing figure can show the possible variations in the thickness of the breakaway layer. Because the artisan of ordinary skill would understand the description of the breakaway layer having variations of patterns in the thickness of the breakaway layer, it is respectfully submitted that the drawings of the application do show all of the features claimed.

With regard to the subject matter of claim 11, as explained above with regard to claim 10, the breakaway layer having a polymer having a greater affinity for the primary film layer at certain areas of the breakaway layer is a chemical property or composition of the breakaway layer that cannot be shown in the drawing figures. Because the breakaway layer itself is shown in the drawing figures, it is respectfully submitted that all of the features of the invention, including the chemical properties or composition of the breakaway layer, are adequately shown in the drawing figures.

Claims 11 and 30 were rejected under 35 U.S.C. §112, 1 paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to the ordinary skilled artisan that the inventors had possession of the claimed invention. Specifically, it was contended that the specification or drawings did not disclose a polymer received adjacent the film layer peripheral edge.

It is respectfully pointed out that the specification makes several references to the breakaway layer being comprised of a polymer having varying degrees of an affinity for the primary film layer (see specification page 4, lines 8-10 and page 12, lines 21-23). Because the specification does include an explanation of the breakaway layer being comprised of polymers, it is respectfully submitted that the specification complies with 35 U.S.C. §112, 1 paragraph.

Claims 10-12 and 24 were rejected under 35 U.S.C. §112, 2nd paragraph, as being indefinite. Specifically, in the rejection of the claims it was stated that is was not understood what was meant by “an adhesive layer wherein the base paper layer bottom surface within the periphery of the base paper layer is adhesively secured to the breakaway layer”.

It is first pointed out that this language of claim 10 has been in the claim and has been reviewed several times by the Examiner, and that the Examiner has not previously had any trouble in understanding the claim language. It is unclear why now this language is considered to be unclear, where the Examiner previously understood the claim language.

The language of claim 10 sets forth that an adhesive layer is employed to adhere a portion of the base paper layer bottom surface that is within the periphery of the base paper layer to the breakaway layer. This is the plain meaning of the claim language. It is respectfully submitted that the artisan of ordinary skill would understand the language of claim 10.

With regard to the rejections of claims 10, 11, 24, and 30, where it was stated that it was not understood what was meant by the breakaway layer being applied in a pattern such that an area furthest the periphery of the primary film layer receives a

coating having a greater affinity for the primary film layer, and an area adjacent the periphery of the primary film layer receives a coating having less affinity for the primary film layer. Again, it is pointed out that this language of the rejected claims was previously understood by the Examiner. It is not clear why now this language has suddenly become unclear to the Examiner.

The plain meaning of the language is that the breakaway layer has a greater adhesive force to the primary film layer at an area around the center of the primary film layer, which is an area furthest from the periphery of the primary film layer. In addition, the breakaway layer has a lesser adhesion to the primary film layer in an area adjacent the periphery of the primary film layer. This is clearly set forth in the claim language and would be easily understood by the artisan of ordinary skill. It is therefore respectfully submitted that the rejection of claims 10-12 and 24 is made in error and should be withdrawn.

Claims 3, 4, 6, and 8-14 were rejected under 35 U.S.C. §103(a) as being obvious in view of the U.S. Patent of Fischer No. 6,328,340. Of these rejected claims, claims 10, 11, and 12 are independent claims. Each of these independent claims recite features of the breakaway layer that are not disclosed or suggested in the prior art reference. Specifically, the characteristics of the breakaway layer having a greater affinity for the primary film layer in different areas. The rejection of the claims acknowledges that the Fischer reference does not disclose a breakaway layer having release levels that vary in a predetermined pattern.

Because the Fischer reference does not disclose or suggest the subject matter of the invention, only through hindsight of the present invention can it be contended that the Fischer reference would make obvious the subject matter of the rejected claims.

Because the rejection of the claims relies on the impermissible use of hindsight, it is submitted that the rejection is made in error and should be withdrawn and the claims allowed.

Claims 24-38 were rejected under 35 U.S.C. §103(a) as being obvious in view of the U.S. Patent of Steidinger, et al. No. 6,350,342. Again, as in the rejection in view of the Fischer reference, the rejection of these claims acknowledges that the Steidinger reference does not disclose claimed features of the invention. Specifically, the Steidinger reference is admitted not to disclose a breakaway layer composed of material having release levels for the primary film layer that vary in a predetermined pattern.

Because the Steidinger reference does not disclose or suggest these features of the invention recited in the rejected claims, it is submitted that the rejection of the claims relies on the impermissible use of hindsight. Because the rejection of the claims is based on hindsight of the invention, it is submitted that the rejection is made in error and should be withdrawn and the claims allowed.

It is respectfully submitted that in view of the remarks presented herein, the application is in condition for allowance. The claims pending in the application adequately describe the invention to the extent that the ordinary skilled artisan would be capable of making and using the invention. The specification of the application provides adequate support for the claimed invention. The rejection of the claims in view of prior art relies on prior art that does not remotely suggest or disclose the invention, and also relies on hindsight of the invention to contend that the claimed subject matter would be obvious.

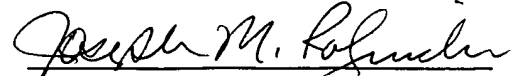
It is respectfully submitted that in view of the amendments made to the

application herein, the application is in condition for allowance and favorable action is requested.

Respectfully submitted,

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